

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:24-cv-384-FDW
(3:20-cr-57-FDW-DCK-1)

ANGEL ARRIAGA,)
)
Petitioner,)
)
vs.) ORDER
)
UNITED STATES OF AMERICA,)
)
Respondent.)
_____)

THIS MATTER is before the Court on the Petitioner's *pro se* "Motion for Consideration for 45 Day Extension & Motion for Reconsideration for Appointment of Counsel" [Doc. 18].

The Petitioner filed a *pro se* Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. [Doc. 1]. The Petitioner filed a Motion to Appoint Counsel [Doc. 3] which was denied because it does not appear that such is required in the interests of justice. [Doc. 4]. The Court ordered the United States to respond to the Petition, and the United States was granted an extension of time to do so. [Docs. 12, 14; June 14, 2024 Text-Only Order]. The United States filed a timely Motion to Dismiss [Doc. 16], and the Court notified Petitioner of his right to respond in accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) [Doc. 17].

The Petitioner now seeks an extension of time in which to respond to the Government's Motion to Dismiss due to mailing delays. [Doc. 18]. An extension will be granted for good cause shown. The Petitioner also asks the Court to reconsider its earlier denial of counsel. He argues that he is "not well versed in navigating and understanding the procedure and/or language of law and its intricacies," and that he is unable to retain counsel due to a lack of funds. [Id. at 2]. This

request is denied for the reasons previously discussed. [See Doc. 4].

IT IS, THEREFORE, ORDERED that the Plaintiff's "Motion for Consideration for 45 Day Extension & Motion for Reconsideration for Appointment of Counsel" [Doc. 18] is **GRANTED IN PART AND DENIED IN PART.**

The Plaintiff's request for an extension of time in which to respond to the Government's Motion to Dismiss [Doc. 16] is **GRANTED** until **October 28, 2024.**

The Plaintiff's request to reconsider the appointment of counsel is **DENIED**.

IT IS SO ORDERED.

Signed : September 24, 2024



Frank D. Whitney
United States District Judge

